

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

NATIONAL FREIGHT, INC.,

Plaintiff,

vs.

ANDREW P. SIDAMON-ERISTOFF,  
in his capacity as Treasurer of the State  
of New Jersey; STEVEN R. HARRIS, in  
his capacity as Administrator,  
Unclaimed Property Administration,  
State of New Jersey Department of the  
Treasury; and ROBERT H.  
DAVIDSON, in his capacity as Chief,  
Unclaimed Property Administration,  
State of New Jersey, Department of  
Treasury,

Defendants.

Civil Action No.

**ORDER TO SHOW CAUSE WITH  
TEMPORARY RESTRAINTS**

THIS MATTER, having been brought before the Court on application of Plaintiff National Freight, Inc., by and through its attorneys, Reed Smith LLP, for an Order to Show Cause for preliminary injunctive relief; and the Court having reviewed the papers submitted in support, including Plaintiff's Verified Complaint, supported by the Verification of Gary Nichols and memorandum of law in support of its Motion for Preliminary Injunction, seeking preliminary and permanent injunctive relief, which make a clear and specific showing of good and sufficient reasons why this matter cannot be resolved through the normal motion procedures;

WHEREAS, the Court having determined that this matter should be heard prior to June 1, 2015 due to the deadline that Defendants have set for Plaintiff to make payment of an assessment including interest and penalties, pursuant to N.J.S.A. §§ 46:30B-1, *et seq.*, or face potential penalties and enforcement action, and for good and sufficient cause having been shown;

**IT IS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015, ORDERED:**

1. Defendants Andrew P. Sidamon-Eristoff, Treasurer of the State of New Jersey (the "State"), Steven R. Harris, Administrator of the Unclaimed Property Administration, and Robert H. Davidson, Chief of the Unclaimed Property Administration are enjoined from enforcing monetary assessments against Plaintiff, including interest and penalties, purportedly made pursuant to the New Jersey Unclaimed Property Act, N.J.S.A. §46:30B-1, *et. seq.*, and are enjoined from taking any enforcement action against the Plaintiff.

2. Defendants shall show cause, before the Honorable \_\_\_\_\_, at the Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, NJ 08608, on \_\_\_\_\_, 2015, at \_\_\_\_\_.m., or as soon thereafter as counsel can be heard, why an Order should not be entered preliminarily enjoining Defendants from enforcing monetary assessments against Plaintiff, including interest and penalties, purportedly made pursuant to the New Jersey Unclaimed Property Act, N.J.S.A. §46:30B-1, *et. seq.*,

and from taking any enforcement action against the Plaintiff until a decision on the merits of Plaintiff's claims has been made.

3. Defendants' answering papers shall be filed and served by \_\_\_\_\_, 2015.

4. Plaintiff's reply papers in further support of its application shall be filed and served by \_\_\_\_\_, 2015.

5. Plaintiff shall serve copies of this Order to Show Cause and Verified Complaint and Memorandum of Law in Support of Plaintiff's Motion for Preliminary Injunction upon each of the Defendants by hand delivery on or before \_\_\_\_\_, 2015, and such service shall be considered good and proper service thereof.

6. A Preliminary Injunction may issue against Defendants if Defendants fail to file and serve any opposition papers to the application filed by Plaintiff.

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, U.S.D.J.